

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CAROL ROBINSON,  
Plaintiff,

v.

SEPTA,  
ALETHA EVANS, and  
MARK LASHLEY,  
Defendants.

CIVIL ACTION

NO. 22-4572

**ORDER**

AND NOW, this 1st day of May, 2024, upon consideration of Defendants Southeastern Pennsylvania Transportation Authority (“SEPTA”), Aleta Evans (improperly named as “Aletha Evans” in the Complaint), and Mark Lashley’s Motion to Dismiss Plaintiff Carol Robinson’s Amended Complaint (ECF No. 14) and the responses thereto (ECF Nos. 15-16), and for the reasons set forth in the accompanying Memorandum, **IT IS ORDERED** as follows:

1. Defendants’ Motion (ECF No. 14) is **GRANTED IN PART** and **DENIED IN PART**.
  - a. Defendants’ motion to dismiss Plaintiff’s ADA and PHRA retaliation claims is **DENIED**.
  - b. Defendants’ motion to dismiss Plaintiff’s FMLA retaliation claim is **GRANTED**. Plaintiff’s FMLA retaliation claim is **DISMISSED**.
  - c. Defendants’ motion to dismiss Plaintiff’s Section 1983 retaliation claim is **GRANTED**. Plaintiff’s Section 1983 claim is **DISMISSED**.
2. Defendants shall file an Answer to Plaintiff’s Amended Complaint on or before **May 22, 2024**.

**BY THE COURT:**

/s/ Hon. Kelley B. Hodge

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**HODGE, KELLEY B., J.**